

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

**2010-1 SFG Venture LLC
Plaintiff**

1:10-cv-0550-LM

v.

**Kevin G. Attar
David J. Johnston
Defendants**

**NOTICE OF DISMISSAL
PURSUANT TO F.R.Civ.P 41(a)(1)(A)(ii)**

NOW COMES 2010-1 SFG Venture LLC by its attorneys, Ford & Weaver, P.A. and dismisses this action pursuant to F.R.Civ. P 41(a)(1)(A)(ii) and in support thereof says as follows:

1. No opposing party has served either an answer or a motion for summary judgment.
2. No federal or state court action based on or including the same claim has been dismissed by the Plaintiff.
3. Pursuant to F.R.Civ. P 41(a)(1)(A)(ii) Plaintiff is entitled to dismiss this action without a court order.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court order and decree as follows:

- A. That the Complaint is dismissed without prejudice; and,
- B. Grant such other relief as is just and equitable.

Respectfully submitted,

2010-1 SFG Venture LLC
By its attorneys,

Ford & Weaver, P.A.

Date: December 28, 2010

By: /s/ *Edmond J. Ford*
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CERTIFICATE OF SERVICE

I hereby certify that on December 28, 2010 a copy of the foregoing has been forwarded electronically and/or via United States Mail, postage prepaid, to the following parties:

Mark Sutherland Derby, Esq.
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/s/ *Edmond J. Ford*
Edmond J. Ford, Esq.